

# Exhibit E

**Muehlberger, James P. (SHB)**

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**From:** Rob Lopez [robl@hbsslaw.com]  
**Sent:** Tuesday, June 14, 2005 1:48 PM  
**To:** McCully, Robert J. (SHB)  
**Subject:** RE: Aventis Deposition

That will work (July 12 in Boston). Thanks for getting back to me. --Rob

-----Original Message-----

**From:** McCully, Robert J. (SHB) [mailto:RMCCULLY@shb.com]  
**Sent:** Tuesday, June 14, 2005 11:31 AM  
**To:** Rob Lopez  
**Subject:** RE: Aventis Deposition

Rob,

I'd like to confirm Tuesday, July 12, as the date for these 30(b)(6) depositions at our local counsel's offices in Boston (unless you've changed your mind regarding location and would prefer to do in New York.)

Please let me know at your earliest convenience whether you can proceed on July 12.

Thanks.

-----Original Message-----

**From:** Rob Lopez [mailto:robl@hbsslaw.com]  
**Sent:** Thursday, June 09, 2005 3:22 PM  
**To:** McCully, Robert J. (SHB)  
**Subject:** RE: Aventis Deposition

Thanks for the update. Please keep me posted. --Rob

-----Original Message-----

**From:** McCully, Robert J. (SHB) [mailto:RMCCULLY@shb.com]  
**Sent:** Thursday, June 09, 2005 12:21 PM  
**To:** Rob Lopez  
**Cc:** Koon, Michael L. (SHB)  
**Subject:** FW: Aventis Deposition

Rob,

Wanted to apprise you of status of securing dates during week of July 11 for these 30(b)(6) depositions. As it turns out, one of the two witnesses just had an offer on a house accepted, and is waiting to schedule a closing date. Our witness has been told that that closing date would likely be during the week of July 11. The plan is to lock in that closing date before this week is out and then we can schedule our deposition day around that.

Best guess at this time is either the 11th or 12th of July, and hope to let you know more either late tomorrow or first thing Monday.

Robert J. McCully  
Shook Hardy & Bacon LLP  
(816) 559-2191  
(816) 421-5547 (fax)

-----Original Message-----

From: Koon, Michael L. (SHB)  
Sent: Monday, June 06, 2005 3:34 PM  
To: 'Rob Lopez'  
Subject: RE: Aventis Deposition

If both weeks are acceptable, I would prefer to do it the week of the 11th to avoid July 4th holiday plans. I'll check to make sure that week works and let you know promptly. We'll plan to produce the witnesses at the offices of our local counsel in Boston, Kirkpatrick and Lockhart, 75 State St.

-----Original Message-----

From: Rob Lopez [mailto:robl@hbsslaw.com]  
Sent: Monday, June 06, 2005 1:35 PM  
To: Koon, Michael L. (SHB)  
Subject: RE: Aventis Deposition

All right, so two witnesses for this one deposition?

Of the two location choices, we'll take Boston.

Let me know when you find out about available dates during those weeks in July that you've identified.

Thanks. --Rob

-----Original Message-----

From: Koon, Michael L. (SHB) [mailto:MKOON@shb.com]  
Sent: Monday, June 06, 2005 11:30 AM  
To: Rob Lopez  
Subject: RE: Aventis Deposition

Having not heard from anyone about the week of the 20th, I made commitments that week that would be hard to reschedule now. I think we can still do it the latter part of the week of the 4th and we can also check on the following week.

There will be two witnesses, both of whom work in New Jersey. New York is our first choice but we would produce them in Boston. We will not produce

them in Seattle.

-----Original Message-----

From: Rob Lopez [mailto:robl@hbsslaw.com]  
Sent: Monday, June 06, 2005 1:23 PM  
To: Koon, Michael L. (SHB)  
Subject: Aventis Deposition

Mr. Koon: My name is Rob Lopez. I'm a lawyer in Hagens Berman's Seattle office.

Steve Berman has asked me to finalize scheduling of the deposition of Aventis's 30(b)(6) representative on database/transaction data issues. I'll be taking that deposition.

As I understand it, you've offered a date during the week of June 20 or a date late during the week of July 4. Are those the dates you're still proposing?

Also, I see that we originally requested that the deposition occur in Seattle. As I understand it, you've proposed NYC or Boston. Any chance we could do it in Seattle, or do you have a strong preference for NYC or Boston?

Thanks. --Rob

Robert F. Lopez  
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"MMS <shb.com>" made the following  
annotations on 06/06/05 13:29:52

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